

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

MICHAEL MATTOX §
VS. § CIVIL ACTION NO. 1:16-CV-135
JEROME OWENS, ET AL. §

ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Michael Mattox, a prisoner confined at the Ellis Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Jerome Owens, Robert Choate, and Edward Tracy.

The court ordered that this matter be referred to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends dismissing the action without prejudice pursuant to 28 U.S.C. § 1915(e).

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and the pleadings. The court received correspondence from the plaintiff, which the court liberally construes as objections to the Magistrate Judge's Report and Recommendation.

The court has conducted a *de novo* review of the "objections" in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). Plaintiff's letter does not object to the substance of the Report and Recommendation, or even attempt to show that his conviction has been reversed, but

rather reiterates what he claims to be his damages. After careful consideration, the court concludes the “objections” are without merit.

ORDER

Accordingly, plaintiff's objections (document no. 8) are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge (document no. 6) is **ADOPTED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendation.

So Ordered and Signed

Sep 11, 2016



Ron Clark, United States District Judge